

UNITED STATES COURT OF APPEALS
FOR THE SIXTH CIRCUIT**FILED**

OCT 7 2003

JACK VOLGARES, SR.,

)

LEONARD GREEN, Clerk

Petitioner-Appellant,

)

ORDER

v.

)

HAROLD E. CARTER, Warden,

)

Respondent-Appellee.

)

)

U.S. COURT OF APPEALS
SIXTH CIRCUIT
WESTERN DISTRICT OF OHIO
WEST DIVISION
CINCINNATI03 OCT - 8 PM 12:48
KENNETH J. MURPHY
CLERK
FILED

Jack Volgares Sr., an Ohio state prisoner, moves for pauper status and appeals pro se a district court judgment denying his petition for a writ of habeas corpus, filed pursuant to 28 U.S.C. § 2254. This matter is before the court upon an application for a certificate of appealability. Fed. R. App. P. 22(b).

Upon consideration, the application for a certificate of appealability is denied. The motion for pauper status is denied as moot.

ENTERED BY ORDER OF THE COURT



Clerk

A TRUE COPY

Attest:

LEONARD GREEN, Clerk

By John Duncan

Deputy Clerk



LEONARD GREEN
CLERK

100 EAST FIFTH STREET, ROOM 532
POTTER STEWART U.S. COURTHOUSE
CINCINNATI, OHIO 45202-3988

ROBIN DUNCAN
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Filed: October 7, 2003

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Ross Correctional Institute
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Corrections Litigation Section
140 E. Town Street
14th Floor
Columbus, OH 43215-6001

RE: 03-3774
Volgares vs. Carter
District Court No. 00-00761

Enclosed is a copy of an order which was entered today in the above-styled case.

Robin Duncan
Case Manager

Enclosure

Certified Copy to:
Honorable S. Arthur Spiegel
Mr. Kenneth J. Murphy